

Part 7

Nonresident Violator Compact

53-3-701 Short title.

This part is known as the "Nonresident Violator Compact."

Enacted by Chapter 234, 1993 General Session

53-3-702 Definitions.

As used in this part:

- (1) "Citation" means a summons, ticket, or other official document issued by a peace officer for a traffic violation, containing an order that requires the motorist to respond.
- (2) "Collateral" means cash or other security deposited to secure an appearance for trial, following the issuance by a peace officer of a citation for a traffic violation.
- (3) "Court" means a court of law or traffic tribunal.
- (4) "Driver license" means a license or privilege to operate a motor vehicle issued under the laws of the home jurisdiction.
- (5) "Home jurisdiction" means the jurisdiction that issued the driver's license of the traffic violator.
- (6) "Issuing jurisdiction" means the jurisdiction in which the traffic citation was issued to the motorist.
- (7) "Jurisdiction" means a state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.
- (8) "Motorist" means a driver of a motor vehicle operating in a party jurisdiction other than the home jurisdiction.
- (9) "Personal recognizance" means an agreement by a motorist made at the time of issuance of the traffic citation that he will comply with the terms of that traffic citation.
- (10) "Terms of the citation" means those options expressly stated upon the citation.

Amended by Chapter 282, 1998 General Session

53-3-703 Violations exempted from compact.

This compact does not apply to:

- (1) parking or standing violations;
- (2) highway weight limit violations; and
- (3) violations of law governing the transportation of hazardous materials.

Renumbered and Amended by Chapter 234, 1993 General Session

53-3-704 Authority to enter compact.

The director of the division shall execute all documents and perform all other acts necessary to enter into and carry out this part.

Renumbered and Amended by Chapter 234, 1993 General Session

53-3-705 Procedures for issuing traffic citation.

The following is the procedure of the issuing jurisdiction:

- (1) When issuing a citation for a traffic violation, a peace officer shall issue the citation to a motorist who possesses a driver license issued by a party jurisdiction and shall not, subject to the exceptions noted in Subsection (2), require the motorist to post collateral to secure appearance if the officer receives the motorist's personal recognizance that he or she will comply with the terms of the citation.
- (2) Personal recognizance is acceptable only if not prohibited by law. If mandatory appearance is required, it must take place immediately following issuance of the citation.
- (3)
 - (a) Upon failure of a motorist to comply with the terms of a traffic citation, the appropriate official shall report the failure to comply to the licensing authority of the jurisdiction in which the traffic citation was issued.
 - (b) The report shall be made in accordance with procedures specified by the issuing jurisdiction and shall contain information as specified in the compact manual as minimum requirements for effective processing by the home jurisdiction.
- (4) Upon receipt of the report, the licensing authority of the issuing jurisdiction shall transmit to the licensing authority in the home jurisdiction of the motorist the information in a form and content contained in the compact manual.
- (5) The licensing authority of the issuing jurisdiction may not suspend the privilege of a motorist for whom a report has been transmitted.
- (6) The licensing authority of the issuing jurisdiction may not transmit a report on any violation if the date of transmission is more than six months after the date on which the traffic citation was issued.
- (7) The licensing authority of the issuing jurisdiction shall not transmit a report on any violation where the date of issuance of the citation predates the most recent of the effective dates of entry for the two jurisdictions affected.

Renumbered and Amended by Chapter 234, 1993 General Session

53-3-706 Procedure for home jurisdictions upon report of a licensee's failure to comply with out-of-state authority.

The following is the procedure for the home jurisdiction:

- (1)
 - (a) Upon receipt of a report of a failure to comply from the licensing authority of the issuing jurisdiction, the licensing authority of the home jurisdiction may notify the motorist and initiate a suspension action, in accordance with the home jurisdiction's procedures, and suspend the motorist's driver license until satisfactory evidence of compliance with the terms of the traffic citation has been furnished to the home jurisdiction licensing authority.
 - (b) Due process safeguards will be accorded.
- (2) The licensing authority of the home jurisdiction shall maintain a record of actions taken and make reports to issuing jurisdictions as provided in the compact manual.

Renumbered and Amended by Chapter 234, 1993 General Session

53-3-707 Rights of party jurisdictions not affected by compact.

Except as expressly required by the compact, nothing contained in this part affects the right of any party jurisdiction to apply any of its other laws relating to licenses to drive to any person or circumstance, or to invalidate or prevent any driver license agreement or other cooperative arrangement between a party jurisdiction and a nonparty jurisdiction.

Renumbered and Amended by Chapter 234, 1993 General Session

53-3-708 Compact administrator.

The director of the division is the compact administrator for the state.

Renumbered and Amended by Chapter 234, 1993 General Session

53-3-709 Amendment of compact.

- (1)
 - (a) This compact may be amended from time to time.
 - (b) Amendments shall be presented in resolution form to the chairman of the board of compact administrators and may be initiated by one or more party jurisdictions.
- (2) Adoption of an amendment requires endorsement of all party jurisdictions and becomes effective 30 days after the date of the last endorsement.
- (3)
 - (a) Failure of a party jurisdiction to respond to the compact chairman within 120 days after receipt of the proposed amendment constitutes endorsement.
 - (b) A report authorized by Section 53-3-104 may not contain any evidence of a suspension that occurred as a result of failure to comply with the requirements of this part.
 - (c) The provisions of Subsection (3)(b) do not apply to:
 - (i) a CDIP or CDL license holder; or
 - (ii) a violation that occurred in a commercial motor vehicle.

Amended by Chapter 52, 2015 General Session